

JOHN DAVID CUMMINGS,)
)
 Plaintiff,)
)
 v.) 1:23-cv-980
)
 SARAH BIRDSEYE, et al.,)
)
 Defendants.)

made by the [M]agistrate [J]udge . . . [O]r recommit the matter to the [M]agistrate [J]udge with instructions."

The Court has appropriately reviewed the portions of the Recommendation to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's Recommendation. Therefore, this Court therefore adopts the Magistrate Judge's Recommendation.

Plaintiff's motion requesting subpoenas, (Doc. 15), will be denied as moot.

IT IS THEREFORE ORDERED that the Magistrate Judge's Recommendation, (Doc. 10), is **ADOPTED**. **IT IS FURTHER ORDERED** that Plaintiff's Complaint, (Doc. 3), is **DISMISSED** pursuant to 28 U.S.C. § 1915(e)(2)(B)(i), as frivolous.

Plaintiff's Motion for Issuance of Subpoenas Delivered by Marshalls [sic] Service, (Doc. 15), is **DENIED** as **MOOT**.

A Judgment dismissing this action will be filed contemporaneously with this Order.

This the 2nd day of July, 2024.


United States District Judge